

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION**

**Case No. 2:18-md-2846**

**CHIEF JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson**

**This document relates to:  
ALL ACTIONS.**

**CASE MANAGEMENT ORDER NO. 8-A**

**Regarding HIPAA Authorizations**

Pursuant to Case Management Order No. 8, each Plaintiff in an action in MDL 2846 shall complete and serve upon Defendants via email a completed Plaintiff Profile Form. The agreed to Plaintiff Profile Form, which is attached to CMO 8, includes a Limited Authorization to Disclose Health Information pursuant to the Health Insurance Portability and Accountability Act (hereinafter, “HIPAA Authorization”).

The parties agree that, if a Plaintiff does not date the HIPAA Authorization forwarded to Defendants, then Defendants can date the HIPAA Authorization with the date the Plaintiff Profile Form was served via email to Defendants. Leaving the date on the HIPAA Authorization blank when forwarded to Defendants shall not constitute a deficiency under CMO 8.

Individual Plaintiffs’ counsel may, by agreement, allow Defendants to fill in any other missing information to avoid a deficiency, including health care provider, patient name, social security number, or date of birth. In no event shall this consent be construed to allow Defendants

to fill in a provider that is not listed in the Plaintiff Profile Form unless Defendants receive express written authorization from Plaintiff's counsel in an individual case.

Absent an agreement, not including information in the Authorization, other than the date as discussed above, will be addressed pursuant to CMO 8. Not signing the HIPAA Authorization is considered a deficiency under CMO 8.

**IT IS SO ORDERED.**

1-23-2019

**DATE**

  
**EDMUND A. SARGUS, JR.**  
CHIEF UNITED STATES DISTRICT JUDGE

1/23/2019

**DATE**

  
**KIMBERLY A. JOLSON**  
UNITED STATES MAGISTRATE JUDGE